

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas
FILED

OCT 17 2019

David J. Bradley, Clerk of Court

United States of America

v.

Tony MANUEL

Case No.

H19-1943M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 31 to October 15, 2019 in the county of Montgomery in the
Southern District of Texas, the defendant(s) violated:

Code Section

18 U.S.C. 2250(a)

Offense Description

Failure to Register as a Tier III Sex Offender

This criminal complaint is based on these facts:

See attached Affidavit

☒ Continued on the attached sheet.

Complainant's signature

Jason Carrell, Deputy U.S. Marshal

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/17/2019

Judge's signature

City and state: Houston, Texas

Frances Stacy, U.S. Magistrate Judge

Printed name and title

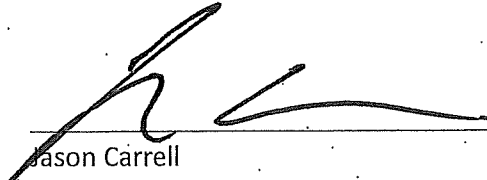
I, Jason Carrell, being duly sworn, hereby depose and state the following:

1. I am a Deputy United States Marshal for the United States Marshals Service and have been so employed since 2010. I am assigned to the Gulf Coast Violent Offenders and Fugitive Task Force in the Southern District of Texas. In accordance with the performance of my duties, I am assigned to locate and apprehend fugitives, conduct criminal investigations, and make arrests in accordance with the same. I have received additional training from the U.S. Marshals Service regarding the investigation of violations of the Sex Offender Registration and Notification Act. Prior to becoming a Deputy U.S. Marshal, I served as a Houston Police Officer.
2. Based on the facts and circumstances outlined below, there is probable cause to believe that Tony MANUEL (hereafter MANUEL), has violated Title 18, United States Code, Section 2250(a), in that he has failed to comply with the Sex Offender Registration and Notification Act. This affidavit is based on my personal observations, knowledge, experience, training, and information relayed to me by other sworn law enforcement officers. The facts set forth in this affidavit are not the only facts known to your affiant for the limited purposes of establishing probable cause for arrest.
3. Throughout this affidavit, statements made by sources of information and other witnesses are set forth in substance and in pertinent part unless otherwise indicated. Furthermore, the facts and circumstances of this investigation have been set forth in pertinent part for the purpose of this affidavit and do not include the complete factual history of this investigation, or all of its details.
4. The following paragraphs are furnished to establish probable cause in support of this criminal complaint.
5. On 10/07/2002, MANUEL was convicted of four counts of 3rd degree sex offense in Prince George's County, Maryland and sentenced to concurrent terms of imprisonment of three years for each conviction. The victim of these offenses was MANUEL's 14 year-old cousin.
6. These convictions qualify MANUEL at a Tier III sexual offender under the Sexual Registration and Notification Act and trigger a lifetime duty to register for MANUEL. Among the requirements, MANUEL is required to register in the local jurisdiction in which he resides, and this includes notifying each new jurisdiction to which he moves and well as the jurisdiction from which he moved.
7. On both February 23, 2011, and May 24, 2013, Defendant was convicted in Shelby County, TN for the offense of Violation of Sex Offender Registry and sentenced to determinate terms of imprisonment of 11 days and 45 days, respectively. 08/02/2018, MANUEL was convicted in Shelby County, TN for the offense of Violation of Sex Offender Registry.
8. Manuel last registered as a sex offender with Shelby County on 11/13/2018.
9. On 05/17/2019, Shelby County, TN issued a warrant for MANUEL for the offense of violation of sex offender registry.

10. On 07/02/2019, Officer Justin Atherton with the Shenandoah Police Department conducted a traffic stop (case number 19M004767) on a 2007 black Mercedes R35 with temporary Texas tag 3773B7. Officer Atherton identified MANUEL as one of the passengers in the vehicle and received an NCIC return informing him of the TN warrant for violation of sex offender registry.
11. MANUEL advised Officer Atherton that he was living in hotels in the Montgomery County area. Officer Atherton advised MANUEL that he needed to contact Supervisor Lindsay Hall with the Montgomery County Sheriff's Office (MCSO) Sex Offender Registration Unit. Officer Atherton released MANUEL at the scene.
12. On 10/15/2019, Officer Patrick Reade of the Shenandoah Police Department detained MANUEL for jaywalking at 29955 I-45 in Shenandoah, TX. MANUEL advised Officer Reade that he had been living at the Baymont Hotel at 18484 I-45 in The Woodlands, Texas Room 227 for approximately two weeks.
13. After identifying MANUEL as a convicted sex offender, Officer Reade contacted Supervisor Lindsay Hall with MCSO Sex Offender Registration Unit. Supervisor Hall contacted DUSM Carrell and advised him of Officer Reade's encounter with MANUEL and that MANUEL had never registered as a sex offender as required under both federal and state law.
14. DUSMs Carrell and Jonathan Brown arrived on scene at approximately 11:15 hours and took MANUEL into custody.
15. DUSMs Carrell and Brown booked MANUEL at the Joe Corley Detention Facility.
16. DUSM Carrell and Perusich interviewed MANUEL's cousin, Tarcellus Nickleberry. Nickleberry advised that he lives with MANUEL in room #229 at the Baymont Hotel. Nickleberry stated that he and MANUEL have lived there since August of 2019. Nickleberry stated that he and MANUEL have also lived together in other hotels and apartments in the Houston area prior to living at the Baymont Hotel.
17. DUSMs Carrell and Perusich interviewed Jennifer Crawford, the general manager of the Red Lobster located at 18446 I-45 in Shenandoah, TX. Crawford stated that MANUEL was a current employee at the Red Lobster. Crawford provided documentation showing that MANUEL has been paid as an employee since 06/24/2019.

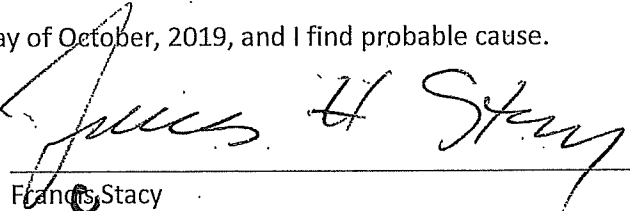
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18. Based on the facts and circumstances outlined above, there is probable cause to believe that since at least on or about August 31, 2019, and continuing through to his arrest in the present case, in the Southern District of Texas, Tony MANUEL, an individual required to register under the Sex Offender Registration and Notification Act, traveled in interstate or foreign commerce and knowingly failed to register as a sex offender as required by the Sex Offender Registration and Notification Act, in violation of Title 18, United States Code, Section 2250(a).



Jason Carrell
Deputy U.S. Marshal

Sworn to and subscribed before me this 17th day of October, 2019, and I find probable cause.



Francis Stacy
United States Magistrate Judge